THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.13473 of 2006

18.7.2006

Between:

Saini Rajaiah, S/o.Late Narsaiah

… Petitioner

AND

The Mandal Revenue Officer, Hasanparthy Mandal, Warangal District

And another

… Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.13473 of 2006

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ORDER:

The two petitioners claim to have purchased wetland admeasuring Acs.1.37 guntas in survey No.186 of Hasanparthy Village under unregistered agreement of sale dated 06.6.1970. They also allege that their names were also entered in the record of rights and subsequently, the land was sub-divided as survey Nos.186/2 and 186/3. They allege that on 25.5.2006, respondents 6 to 8 threatened to dispossess the petitioners and on that day they came along with the fifth respondent and attempted to fix the boundaries without issuing notice to the petitioners. The petitioners protested and also approached the fourth respondent by lodging a complaint, in vain. They, therefore, filed the instant writ petition seeking a writ of Mandamus directing the respondents 1, 2, 4 and 5 to take all necessary steps to settle the issue of numbering and renumbering the land in survey Nos.185 and 186 situated at Hasanparthy village.

Learned Counsel for the petitioners strenuously contends that the petitioners are absolute owners and their names are entered in the revenue records. He alleges that the fifth respondent is abetting the illegal acts of respondents 6 to 8, who are trying to evict the petitioners and deprive them of their right. **Per contra**, learned Assistant Government Pleader for Revenue (General) on instructions submits that the dispute is in between respondents 6 to 8 on one side and petitioners on other side. It is purely a civil disputed governed by private law. He denies all other allegations of aiding the illegal interference by respondents 6 to 8.

After hearing the learned Counsel for the petitioners, learned Assistant Government Pleader for Revenue (General) and perusing the material placed before this Court, this Court is convinced that the dispute is purely a title dispute between two private groups. However, if the petitioners are aggrieved by the action of respondents 6 to 8 in their acts of interference, the remedy of the petitioners is to approach the civil court and file a suit for declaration of title and injunction. In this writ petition, no relief cannot be granted to the petitioners.

The writ petition is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

July 18, 2006.

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